



DOCKET NO.: ISIS-4502

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard H. Tullis

Serial No.: 08/078,768

Filing Date: June 16, 1993

For: OLIGONUCLEOTIDE THERAPEUTIC AGENT AND METHODS OF  
MAKING SAME

Confirmation No.: 9155

Group Art Unit: 1631

Examiner: J. Martinell

# 79  
Plunkett  
4/7/03

EXPRESS MAIL LABEL NO: EV 160093356 US  
DATE OF DEPOSIT: March 7, 2003

BOX AF  
Assistant Commissioner for Patents  
Washington DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **September 10, 2002** finally rejecting claims **64-83** of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

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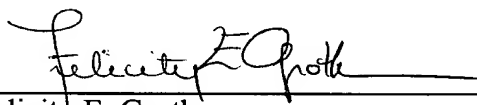
- ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 § CFR 1.17(a)(1)-(4)) for the total number of months checked below:

|  | SMALL ENTITY |       | NOT SMALL ENTITY |       |
|--|--------------|-------|------------------|-------|
|  | RATE         | FEE   | RATE             | FEE   |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME         | \$55         | \$0   | \$110            | \$    |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME         | \$205        | \$0   | \$410            | \$    |
| <input type="checkbox"/> THREE MONTH EXTENSION OF TIME       | \$465        | \$0   | \$930            | \$    |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME        | \$725        | \$0   | \$1450           | \$    |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME        | \$985        | \$0   | \$1970           | \$    |
| <input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID | minus        | (\$0) | minus            | (\$ ) |
| <input type="checkbox"/> NOTICE OF APPEAL                    | \$160        | \$0   | \$320            | \$    |
| TOTAL FEE DUE  |              | \$0   |                  | \$0   |

### 3. FEE PAYMENT

- ☐ A check in the amount of \$0.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$       .00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

Date: March 7, 2003

  
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